

ORDINANCE NO. 2015-03

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY, ZONING CASE NUMBER 2014-12, FROM PLANNED DEVELOPMENT (PD-2005-24) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT – TO MODIFY THE PD CONDITIONS TO ALLOW NO MORE THAN A TWO CAR GARAGE DOOR(S) TO FACE THE STREET ON LOTS LESS THAN 12,000 SQUARE FEET, AND THAT ALL 2:2 OR 3:2 CONFIGURATIONS MUST BE ARCHITECTURAL UPGRADED DOORS WITH DECORATIVE HARDWARE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

SECTION 1: That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a new zoning classification of Planned Development (PD), said property being described in Exhibit “A” (Legal Description), Exhibit “B” (Specific Regulations), Exhibit “C” (Final Plat) attached hereto and made a part hereof for all purposes.

SECTION 2: That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3: That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

Ordinance No. 2015-03

Amending Planned Development Braddock Place IV

No more than a two car garage door(s) to face the street on lots less than 12,000 s.f.

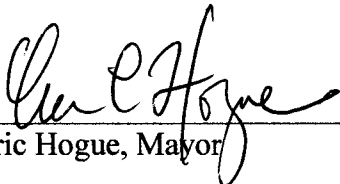
SECTION 4: Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

SECTION 5: Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION 7: The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

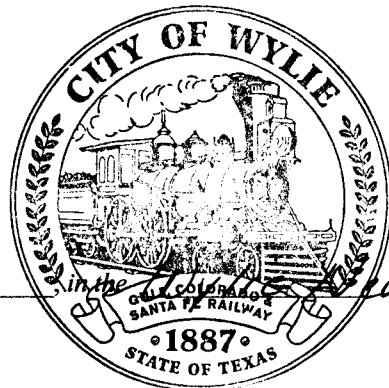
DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 13th day of January, 2015.


Eric Hogue, Mayor

ATTEST:


Carole Ehrlich, City Secretary

DATE OF PUBLICATION: 1/21/15



Ordinance No. 2015-03

Amending Planned Development Braddock Place IV

No more than a two car garage door(s) to face the street on lots less than 12,000 s.f.

EXHIBIT "A"

BEING, a tract of land situated in Nathaniel Atterberry Survey, Abstract No. 1099 and the E.M. Price Survey, Abstract No. 725, in the City of Wylie, being part of a 185.1449 acre tract, as described in Clerks File No. 20060119000079810 in the Deed Records of Collin County, Texas, being more particularly described as follows:

BEGINNING at a ½ inch iron rod found at the most easterly southeast corner of Braddock Place Phase I, an addition to the City of Wylie, as described in Doc. No. 2004-596, in the Plat Records of Collin County, Texas, being in the west line of F.M. 544 (90' R.O.W.), same being in the east line of said 185.1449 acre tract;

THENCE, South 00°52'55" East, along the east line of said 185.1449 acre tract and the west line of said F.M. 544, for a distance of 808.36, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 89°07'05" West, departing said lines, for a distance of 255.04 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 00°52'55" East, for a distance of 16.03 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 89°07'05" West, for a distance of 217.24 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the left, having a radius of 515.00 feet, a central angle of 14°32'00", and a tangent of 65.67 feet,

THENCE, along said curve to the left for an arc distance of 130.63 feet (Chord Bearing South 81°51'05" West - 130.28 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being on a curve to the right, having a radius of 225.00 feet, a central angle of 13°46'43", and a tangent of 27.19 feet;

THENCE, along said curve to the right for an arc distance of 54.11 feet (Chord Bearing South 07°46'16" East - 53.98 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the point of tangency;

THENCE, South 00°52'55" East, for a distance of 4.29 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 215.00 feet, a central angle of 18°34'55", and a tangent of 35.17 feet;

THENCE, along said curve to the right for an arc distance of 69.73 feet (Chord Bearing South 08°24'32" West - 69.42 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a curve to the right, having a radius of 1815.00 feet, a central angle of 13°40'43", and a tangent of 217.69 feet;

THENCE, along said curve to the right for an arc distance of 433.31 feet (Chord Bearing South 79°21'38" West - 432.28 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of reverse curvature of a curve to the left, having a radius of 105.00 feet, a central angle of 43°38'53" and a tangent of 42.05 feet;

THENCE, along said curve to the left for an arc distance of 79.99 feet (Chord Bearing South 64°22'33" West - 78.07 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 47°26'53" East, for a distance of 3.17 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 42°33'07" West, for a distance of 170.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 47°26'53" West, for a distance of 468.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin

Eng. Inc.”;

THENCE, South 42°33'07" West, for a distance of 240.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.”;

THENCE, North 47°26'53" West, for a distance of 48.18 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.”;

THENCE, South 42°33'07" West, for a distance of 179.80 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.”, being a point in the west line of said 185.1449 acre tract;

THENCE, North 47°41'51" West, along the west line of said 185.1449 acre tract, for a distance of 49.77 feet, to a ½ inch iron rod found;

THENCE, North 47°43'58" West, continuing along said west line, for a distance of 50.23 feet, to a ½ inch iron rod found at the most southerly southwest corner of Braddock Place Phase II, an addition to the City of Wylie, as described Document No. 2013-341 in said Plat Records;

THENCE, North 42°33'07" East, departing said west line and along the south line of said Braddock Place Phase II, for a distance of 180.27 feet, to a ½ inch iron rod found;

THENCE North 47°26'53" West, continuing along said south line, for a distance of 21.82 feet, to a ½ inch iron rod found;

THENCE, North 42°33'07" East, continuing along said south line, for a distance of 460.00 feet, to a ½ inch iron rod found;

THENCE, North 32°46'02" East, continuing along said south line, for a distance of 101.48 feet, to a ½ inch iron rod found at the most southerly southeast corner of said Braddock Phase II also being the most southerly southwest corner of said Braddock Place Phase I;

THENCE, North 42°33'07" East, along the south line of said Braddock Place Phase I, for a distance of 88.15 feet, to a ½ inch iron found;

THENCE, South 89°38'47" East, continuing along said south line, for a distance of 261.87 feet, to a ½ inch iron rod found at the point of curvature of a curve to the left, having a radius of 1230.00 feet, a central angle of 29°59'49", and a tangent of 329.54 feet;

THENCE, continuing along said south line and with said curve to the left for an arc distance of 643.96 feet (Chord Bearing North 75°21'19" East - 636.63 feet), to a ½ inch iron rod found;

THENCE, North 67°30'12" East, continuing along said south line, for a distance of 239.66 feet, to a ½ inch iron found;

THENCE, North 00°52'55" East, continuing along said south line, for a distance of 218.93 feet, to a ½ inch iron rod found on a curve to the right, having a radius of 345.00 feet, a central angle of 06°52'45", and a tangent of 20.74 feet;

THENCE, continuing along said south line and with said curve to the right for an arc distance of 41.42 feet (Chord Bearing North 86°20'04" East - 41.40 feet), to a ½ inch iron rod found at the point of tangency;

THENCE, North 89°46'26" East, continuing along said south line, for a distance of 268.67 feet, to the POINT OF BEGINNING and containing 24.144 acres of land.

Exhibit "B"

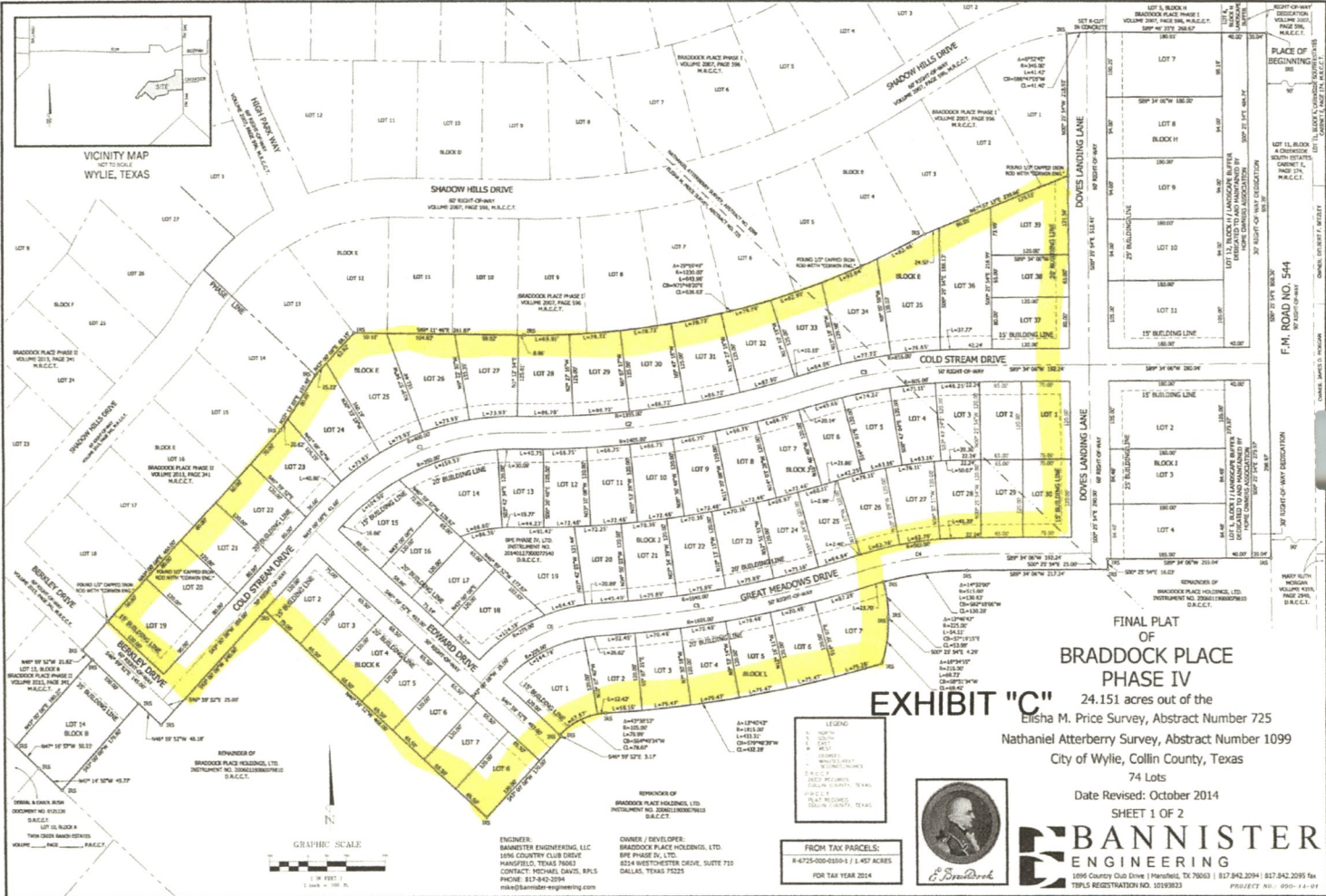
Request change in Exhibit "B" of Ordinance No. 2005-24, Zoning Case 2005-13,

IV. Specific Regulations:

3. Alleys shall not be required as part of this Planned Development. However, no garages shall face the street in front of each Single family Lot. This can be accomplished either through swing driveways or alleys. However, when three car garages are constructed on a lot and a "2&1" configuration is used, the single car door may face the street. Garages may face the street on a corner lot side yard.

Requested addition of the following under IV. Specific Regulations:, 3.

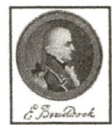
However, when the lot size is less than 12,000 square feet, front facing garage doors shall be allowed. Front facing garage doors must be an architectural upgraded door and contain decorative door hardware.



FINAL PLAT
OF
BRADDOCK PLACE
PHASE IV
EXHIBIT "C" 24.151 acres out of the
Elsha M. Price Survey, Abstract Number 725
Nathaniel Atterberry Survey, Abstract Number 1099
City of Wylie, Collin County, Texas
74 Lots

Date Revised: October 2014
SHEET 1 OF 2

BANNISTER
ENGINEERING



FROM TAX PARCELS:
4725-000-0100-1 / 1.457 ACRES
FOR TAX YEAR 2014

OWNER / DEVELOPER:
BRADDOCK PLACE HOLDINGS, LTD.
BPE PHASE IV, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225

ENGINEER:
BANNISTER ENGINEERING, LLC
1086 COUNTRY CLUB DRIVE
MARSHFIELD, TEXAS 76855
CONTACT: MICHAEL DAVIS, BRIS
PHONE: 817-842-2094
mike@bannister-engineering.com



1086 Country Club Drive | Marshfield, TX 76855 | 817-842-2094 | 817-842-2095 fax
TOLP'S REGISTRATION NO. 0103003 PROJECT NO. - 800-14-01



STATE OF TEXAS,
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, who being by me duly sworn, deposed and says that the foregoing attached:

City of Wylie
Ordinance No. 2015-03
was published in said newspaper on the following dates, to-wit:
January 21, 2015

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 21 day of Jan, 2015
to certify which witness my hand and seal of office.



Notary Public in and for
The State of Texas

My commission expires 9.2.16

**Ordinance No.
2015-03**

An ordinance of the City of Wylie, Texas, amending the Comprehensive Zoning Ordinance of the City of Wylie, as heretofore amended, so as to change the zoning on the hereinafter described property, Zoning Case Number 2014-12, from Planned Development (PD-2005-24) District to Planned Development (PD) District - to modify the PD conditions to allow no more than a two car garage door(s) to face the street on lots less than 12,000 square feet, and that all 2:2 or 3:2 configurations must be architectural upgraded doors with decorative hardware; providing for a penalty for the violation of this Ordinance; providing for the repeal of all Ordinances in conflict; providing a severability clause; and providing for an effective date.

37-1t-74-339